

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION TO CORRECT "ERRORS" STATEMENT (37 CFR §1.175)	Attorney Docket No.	107101-07003
	First Name Inventor	AKAZAKI, et al.
	COMPLETE	
	Application Number:	09/945,835
	Filing Date:	September 5, 2001
	Art Unit	4940
	Examiner Name	T. Nguyen

I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Family Name or Surname		
Shusuke	AKAZAKI		
Inventor's signature	<i>Shusuke Akazaki</i>	Date	21/01/2004
Name of Sole or Second Inventor		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Family Name or Surname		
Kohei	HANADA		
Inventor's signature	<i>Kohei Hanada</i>	Date	22/01/2004
Name of Sole or Third Inventor		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Family Name or Surname		
Yuji	YASUI		
Inventor's signature	<i>Yuji Yasui</i>	Date	21/01/2004
Name of Sole or Fourth Inventor		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Family Name or Surname		
Tadashi	SATOH		
Inventor's signature	<i>Tadashi Satoh</i>	Date	21/01/2004
Name of Sole or Fifth Inventor		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])	Family Name or Surname		
Takashi	HAGA		
Inventor's signature	<i>Takashi Haga</i>	Date	21/01/2004

☐ Additional inventors or legal representatives(s) are being named on the ___ supplemental sheets PTO/SB/02A or 02LR attached hereto.

This collection of information is required by 37 CFR §1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. § 122 and 37 CFR § 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue application of:

AKAZAKI et al.

Art Unit: To be determined

Serial No.: 08/975,101

Examiner: To be determined

Filed: November 20, 1997

Docket No.: 107101-07003

For: EXHAUST GAS PURIFICATION SYSTEM OF INTERNAL COMBUSTION ENGINE

DECLARATION FOR THE REISSUE APPLICATION

We, Shusuke Akazaki, residing at c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan; Kohei Hanada, residing at c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan; Yuji Yasui, residing at c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan; Tadashi Satoh, residing at c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan; and Takashi Haga, residing at c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan; do hereby state and declare that:

1. We are all citizens of Japan, residing at the above-identified respective residences and are the original first and joint inventors of the invention described in U.S. Patent No. 5,946,906, issued September 7, 1999, and described and claimed in the application for a reissue patent.

2. We have reviewed and understand the contents of the above-identified reissue application for a reissue patent, including the claims, and the attached amendment paper.

3. We acknowledge the duty of disclosure of information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

4. We believe that U.S. Patent No. 5,946,906 is wholly or partly inoperative or invalid by reason of the patentees claiming more than they had the right to claim in the patent by reasons of errors in the claims.

5. A deficiency in the claims arise from the fact that at the time the patent application was drafted and prosecuted, the claims were drafted broad in scope and covered more than the Applicants were entitled. The deficiency in claiming more than Applicants had the right to claim arose without any deceptive intent on the part of the Applicants. By claiming the invention as claimed in the issued patent, the scope of protection offered by the patent is more than the Applicants had the right to claim.

6. The errors, in improperly claiming more than the patentees had the right to claim, arose without any deceptive intent on the part of the Applicants when the original U.S. Application was prepared. When the Notice of Allowance was issued on October 4, 1993, the Patentees believed that the invention was accurately claimed. Subsequently, the Patentees discovered references Japanese Laid-Open Patent Application No. 4-311,618 (reference A) and Japanese Laid-Open Patent Application No. 6-93,931 (reference B), both filed by the Nissan Motor Corporation. After reviewing references A and B, which are submitted by the attached Information Disclosure Statement, the Patentees determined that they had claimed more than they had a right to claim. For example, comparing original claim 1 with references A and B, references A and B appear to disclose the characteristic features of: "wherein the improvement comprises: the valve

means is provided at or close to the branching point in the exhaust pipe; and a chamber is provided close to the branching point such that the conduit is connected to the bypass at the one end in the chamber." Specifically, references A and B disclose the valve means provided at or close to the branching point and the conduit.

7. The claims set forth in this reissue application are being submitted in order to correct a deficiency in the breadth and scope of the patent to which the patentees are entitled. Claims 4, 7-11, 13-14, and 16-20 are being maintained as allowed. Claims 1-3, 5, 12, 15, 21 and 23 are being amended by the attached amendment paper.

8. The above errors were only discovered and realized by the patentees after the patent had already issued when the patentees discovered references A and B and reviewed the claims of U.S. Patent No. 5,946,906. Upon the discovery of the Patentees claiming more than they had the right to claim and after consultation with U.S. counsel, the Patentees proceeded with the filing of this reissue application.

9. We hereby appoint the following attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith:

Robert B. Murray, Reg. No. 22,980; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Douglas H. Goldhush, Reg. No. 33,125; David T. Nikaido, Reg. No. 22,663; Richard J. Berman, Reg. No. 39,107; Murat Ozgu, Reg. No. 44,275; Robert K. Carpenter, Reg. No. 34,794; Gregory B. Kang, Reg. No. 45,273; Rustan Hill, Reg. No. 37,351; Carl Schaukowitch, Reg. No. 29,211; Kevin Turner, Reg. No. 43,437; Rhonda C. Barton, Reg. No. P47,271; Hans J. Crosby, Reg. No. 44,634; Brian A. Tollefson, Reg. No. 46,338; and Lynne D. Anderson, Reg. No. 46,412.

10. All correspondence may be directed to ARENT FOX KINTNER PLOTKIN & KAHN PLLC, of 1050 Connecticut Ave., N.W., Suite 600, Washington, D.C. 20036-5339, Telephone No. (202) 857-6000 and Facsimile No. (202) 638-4810.

The undersigned declare further that all statements made herein are believed to be true and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued or reissued thereon.

Full name of first inventor Shusuke Akazaki

Inventor's signature Shusuke Akazaki Date September 3, 2001

Residence c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan

Citizenship Japanese

Post Office Address Same As Above

Full name of second inventor Kohei Hanada

Inventor's signature Kohei Hanada Date September 3, 2001

Residence c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan

Citizenship Japanese

Post Office Address Same As Above

Full name of third inventor Yuji Yasui

Inventor's signature Yuji Yasui Date September 3, 2001

Residence c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan

Citizenship Japanese

Post Office Address Same As Above

Full name of fourth inventor Tadashi Satoh

Inventor's signature Tadashi Satoh Date September 3, 2001

Residence c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan

Citizenship Japanese

Post Office Address Same As Above

Full name of fifth inventor Takashi Haga

Inventor's signature Takashi Haga Date September 3, 2001

Residence c/o Kabushiki Kaisha Honda Gijyutsu Kenkyusho, 4-1, Chuo 1-chome, Wako-shi, Saitama, Japan

Citizenship Japanese

Post Office Address Same As Above